

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE DIVISIONAL APPLICATION

OF: BRUNNER ET AL.

GROUP ART UNIT: 1623

SERIAL NO. TO BE ASSIGNED

EXAMINER:

DEVESH KHARE

FILED: HEREWITH

FOR: METHOD FOR HYDROGENATING BENZENE POLYCARBOXYLIC ACIDS OR
DERIVATIVES THEREOF BY USING A CATALYST CONTAINING MA-
CROPORES

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

This is a Divisional application of application Serial No. 09/581,843, filed on June 19, 2000. The Divisional application is drawn to non-elected subject matter that was canceled from the claims during the prosecution of the parent application. Kindly amend the Divisional Application for further prosecution as follows:

IN THE CLAIMS:

Cancel Claims 1 to 11 in favor of new Claims 12 to 15 as set forth in Appendix I attached to this paper.

IN THE SPECIFICATION:

Amend the specification as set forth in Appendix II attached to this paper.

R E M A R K S

Claims 12 to 15 as set forth in Appendix I of this paper are now pending in this case (37 C.F.R. §1.121(c)(3)). Claims 1 to 11 have been canceled.

The new claims essentially correspond to Claims 9 and 10 of the parent application which were canceled as being drawn to non-elected subject matter. The specification has been amended in order to include the proper cross-reference to the parent application. No new matter has been added. Favorable action is respectfully solicited.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF



Herbert B. Keil

Reg. No. 18,967

1101 Connecticut Ave, N.W.
Washington, D.C. 20036
(202) 659-0100

Encl.: THE AMENDED CLAIMS (Appendix I)

SUBSTITUTE SECTIONS OF THE SPECIFICATION (Appendix II)

HBK/BAS

A P P E N D I X I:

THE AMENDED CLAIMS:

12. (new) A dicarboxylic acid diester selected from the group consisting of
- cyclohexane-1,2-dicarboxylic acid di(isopentyl) ester, obtainable by hydrogenation of a di(isopentyl)phthalate having the Chemical Abstracts registry number (in the following: CAS No.) 84777-06-0;
 - cyclohexane-1,2-dicarboxylic acid di(isoheptyl) ester, obtainable by hydrogenating the di(isoheptyl)phthalate having the CAS No. 71888-89-6;
 - cyclohexane-1,2-dicarboxylic acid di(isononyl) ester, obtainable by hydrogenating the di(isononyl)phthalate having the CAS No. 68515-48-0;
 - cyclohexane-1,2-dicarboxylic acid di(isononyl) ester, obtainable by hydrogenating the di(isononyl)phthalate having the CAS No. 28553-12-0, based on n-butene;
 - cyclohexane-1,2-dicarboxylic acid di(isononyl) ester, obtainable by hydrogenating the di(isononyl)phthalate having the CAS No. 28553-12-0, based on isobutene;
 - a 1,2-di-C₉-ester of cyclohexanedicarboxylic acid, obtainable by hydrogenating the di(nonyl)phthalate having the CAS No. 68515-46-8;
 - cyclohexane-1,2-dicarboxylic acid di(isodecyl) ester, obtainable by hydrogenating a di(isodecyl)phthalate having the CAS No. 68515-49-1;
 - 1,2-di-C₇₋₁₁-ester of cyclohexanedicarboxylic acid, obtainable by hydrogenating the corresponding phthalic acid ester having the CAS No. 68515-42-4;
 - 1,2-di-C₇₋₁₁-ester of cyclohexanedicarboxylic acid, obtainable by hydrogenating the di-C₇₋₁₁-phthalates having the following CAS Nos.: 111381-89-6, 111381-90-9, 111381-91-0, 68515-44-6, 68515-45-7 and 3648-20-7;
 - a 1,2-di-C₉₋₁₁-ester of cyclohexanedicarboxylic acid, obtainable by hydrogenating a di-C₉₋₁₁-phthalate having the CAS No. 98515-43-5;
 - a 1,2-di(isodecyl)cyclohexanedicarboxylic acid ester, obtainable by hydrogenating a di(isodecyl)phthalate, consisting essentially of di-(2-propylheptyl)phthalate; and

a 1,2-di-C₇₋₉-cyclohexanedicarboxylic acid ester, obtainable by hydrogenating the corresponding phthalic acid ester, which comprises branched and linear C₇₋₉-alkylester groups.

13. (new) The 1,2-di-C₇₋₉-cyclohexanedicarboxylic acid ester of claim 12 which is obtainable by hydrogenating a phthalic acid ester selected from the group of
- di-C_{7,9}-alkylphthalate having the CAS No. 111 381-89-6;
di-C₇-alkylphthalate having the CAS No. 68515-44-6; and
di-C₉-alkylphthalate having the CAS No. 68515-45-7.
14. (new) A method of increasing the plasticity of a plastic product which comprises admixing to the plastic a plasticizing amount of at least one of the dicarboxylic acid diesters defined in claim 12.
15. (new) A plastic product comprising a plasticizing amount of at least one of the dicarboxylic acid diesters defined in claim 12.

A P P E N D I X II:

SUBSTITUTE SECTIONS OF THE SPECIFICATION:

On page 1:

- After the title and before the paragraph beginning in indicated line 8, insert the following new paragraph:

This is a Divisional application of Application Serial No. 09/581,843, filed on June 19, 2000 (allowed).